

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:12-00083

JAMAL WHEELER

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On January 3, 2020, the United States of America appeared by Kathleen Robeson, Assistant United States Attorney, and the defendant, Jamal Wheeler, appeared in person and by his counsel, James Woodrow Hill, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Mark Ruscello. The defendant commenced a five-year term of supervised release in this action on June 2, 2017, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on October 26, 2012.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed a violation of federal and state law in that on September 6, 2019, he possessed with intent to distribute 55 pills of Oxycodone Hydrochloride 15 mg, a schedule II narcotic, at which time he had on his person \$1,566 of United States Currency; (2) the defendant failed to provide written reports to the probation officer within the first five days of each month except for March and July of 2019; and (3) the defendant has remained unemployed throughout his terms of supervised release; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

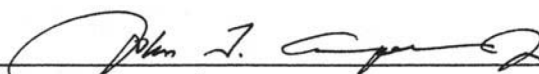
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWELVE MONTHS AND ONE DAY, to be followed by a term of four (4) years less one day of supervised release upon the same terms and standard conditions of supervised release as heretofore imposed upon him.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: January 6, 2020

  
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John T. Copenhaver, Jr.  
Senior United States District Judge